

Court of Appeals, State of Michigan

ORDER

People of MI v Jeremy Alan Likens

Docket No. 274710

LC No. 05-016975-FC

Kathleen Jansen
Presiding Judge

Jessica R. Cooper

Pat M. Donofrio
Judges

The Court orders that the motion to remand for evidentiary hearing is GRANTED, and the matter is remanded to the trial court so that plaintiff-appellee may file, within 14 days, a motion to correct the record of the January 4, 2006, hearing. Proceedings on remand are limited to the issue as raised in the motion to remand.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court which disposes finally of the proposed post-conviction proceedings.

Plaintiff-appellee is to file with this Court a copy of any motion and supporting brief filed in the trial court within 14 days of the Clerk's certification of this order. **The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order.** Plaintiff-appellee must file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

The trial court shall make findings of fact and a determination on the record. The trial court shall cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of proceedings. Defendant-appellant may file a supplemental brief within 21 days of the lower court's order concluding the remand proceedings or the filing of the transcript of the hearing, whichever is later. Appellee's brief is due within 28 days of service of such supplemental brief, or the end of the time for filing a supplemental brief, if no supplemental brief is filed.

The time for proceeding with the appeal shall commence to run 14 days from the date of the certification of this order in the event that proposed post-conviction proceedings are not filed in the trial court within that 14-day period.

The Clerk is directed to return the record to the trial court.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 09 2007
Date

Sandra Schultz Mengel
Chief Clerk